

CHAPTER 5 OE RESPONSE OVERVIEW

5-1. Introduction.

a. The purpose of an OE response action is to reduce, in a timely, cost-effective manner, the risk to human health, safety, and the environment resulting from past DOD activities. The reduction of risk to the public and the environment is achieved through an OE removal action. This chapter discusses the types of removal actions that may be implemented during the OE response process.

b. A removal action is the cleanup or removal of OE from the environment to include the disposal of removed materiel. This term also includes without being limited to, security fencing or other measures to prevent, minimize, or mitigate damage to public health, welfare, or to environment.

5-2. Types of Removal Actions.

a. There are three types of removal actions: emergency, time critical, and non-time critical. The circumstances under which each type of removal action is implemented is illustrated in Figure 5-1 and discussed below. Military EOD units have execution authority for emergency removals. USACE has been given execution authority at FUDS for TCRA's and NTCRA's by the Army.

b. Selection of Removal Action Type.

(1) The selection of the appropriate type of OE removal action is based on an evaluation of the following site-specific features:

- (a) The nature of the OE contamination.
- (b) The urgency/threat of release or potential release of OE.
- (c) The timeframe required for initiating a removal action.

(2) Following the evaluation of the above features, either an emergency, time critical, or non-time critical removal action is selected.

c. Emergency Removal Actions. Emergency removal actions address immediate, unacceptable hazards. Military EOD units are responsible for executing emergency removal actions. In situations where EOD support is required, the USAESCH will coordinate with EOD in accordance with "The Memorandum of Agreement Between the US Army 52nd Ordnance

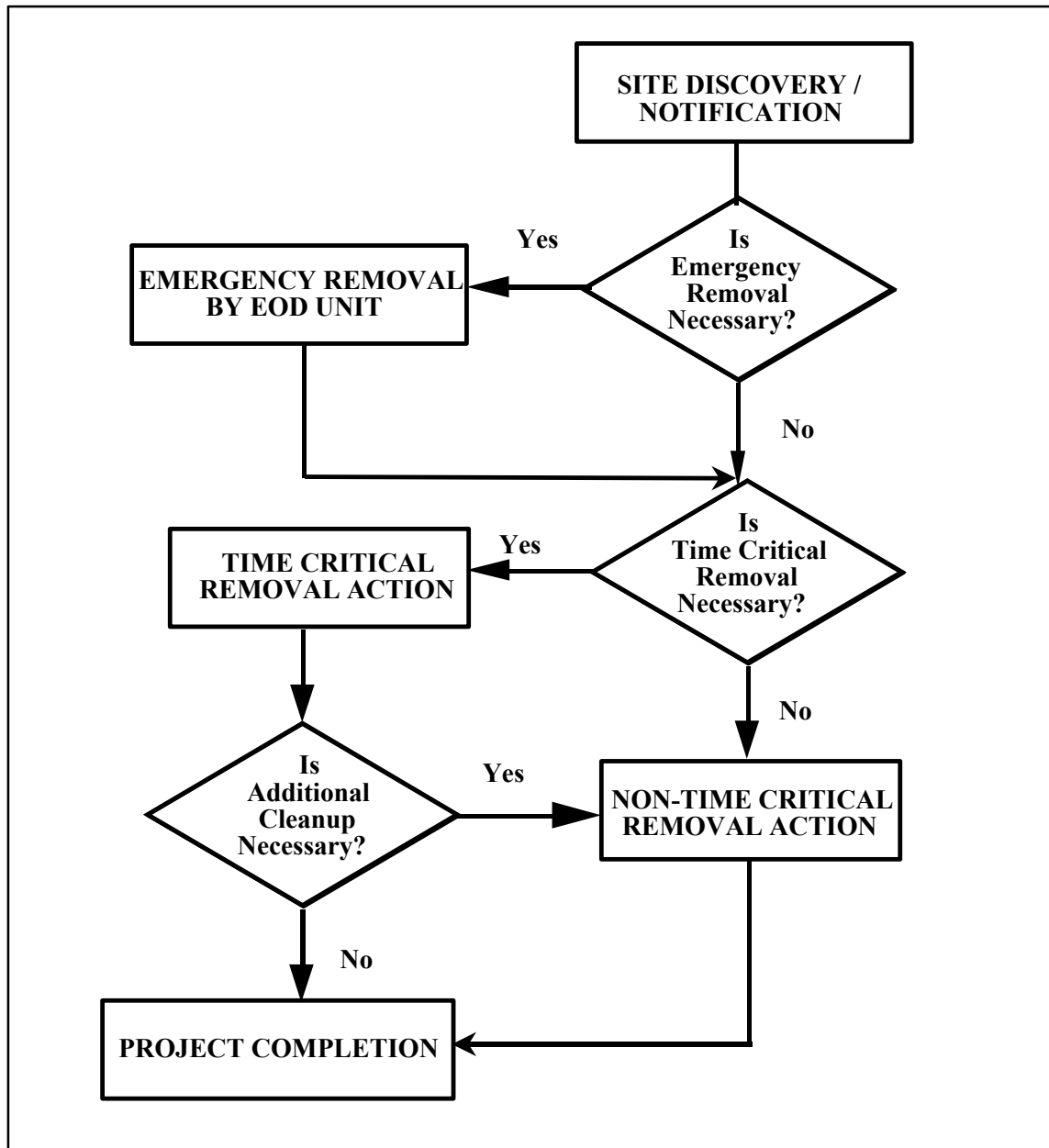


Figure 5-1. Types of OE Removal Actions

Group and US Army Engineering and Support Center, Huntsville.” Since emergency removal actions are not normally a USACE responsibility, they are not further addressed in this document.

d. Time Critical Removal Actions.

(1) Purpose.

(a) TCRAs are removal actions conducted to respond to an imminent danger posed by the release or threat of a release, where cleanup or stabilization actions must be initiated within six months to reduce risk to public health or the environment. Once the imminent threat at a site is addressed through the TCRA, additional work that is necessary is completed through the NTCRA process.

(b) A TCRA is intended to address only the imminent safety hazard posed by the presence of OE, not the cleanup requirements that can be deferred for later action during the NTCRA process. If the TCRA occurred before the EE/CA process was initiated, the risk at the site will be re-evaluated by the completion of a RAC Worksheet, which is discussed in Chapter 6. Based on the RAC score, the site will be reprioritized for a response action through the NTCRA process.

(2) Action Memorandum.

(a) Contents. The Action Memorandum for a TCRA will provide the following information:

- Location and description of the site, including DERP-FUDS project number, if applicable.
- Description of the OE hazards existing at the site.
- Description of the current land use activities and risk of exposure.
- Previous actions that have taken place to address the OE hazard.
- An endangerment determination with the following statement: “There is a significant possibility that an individual may encounter OE hazards at this site, and that these hazards may cause injury or death to individuals who encounter the hazards if not addressed through the response action described in the Action Memorandum”.
- Rationale for clearance depth selection and justification for exceeding clearance depths specified for TCRAs.

24 Apr 00

- An explanation of the proposed action and how the action addresses the actual threat. The explanation should differentiate between a minimum scope TCRA and expanded scope TCRA, which are discussed below.

(b) Review and Approval Process. The Action Memorandum for a TCRA is executed by the OE Design Center.

- The Director for Environmental Programs, ACSIM approves all Action Memorandums projects greater than \$6 million, including National Priorities List (NPL) projects. The OE MCX will review the Action Memorandum. Concurrence by CECC-C and CEMP-R is required.
- The MSC Commander approves Action Memorandums for projects between \$2 million and \$6 million, in addition to all NPL projects under \$6 million.
- The District Commander approves non-NPL Action Memorandums for projects less than \$2 million.

(3) Types of TCRA. There are two types of TCRA that may be selected during an OE response action: a minimum scope TCRA and an expanded scope TCRA.

(a) Minimum Scope TCRA. During a minimum scope TCRA, the minimum resources necessary to address the imminent threat should be allocated. This type of TCRA will be restricted to the following:

- Fences to limit access to the property.
- Removal of surface OE items.
- Restrictive signs to warn of the OE hazard.
- Capping or containment of the OE contamination.
- A combination of the above.

(b) Expanded Scope TCRA. An expanded scope TCRA may be selected if it is deemed as cost effective to address cleanup requirements in order to avoid future remobilization costs. For this to occur, a high degree of confidence must exist such that a subsurface clearance will complete the removal response for a site. An expanded scope TCRA is usually only initiated for known burial caches or well-defined target areas. The depth of clearance should not exceed the limits of UXO detection equipment and the depth that is consistent with future land use.

(4) Conclusion of the TCRA. Following the completion of the removal action tasks, which are discussed in Chapters 11 and 12 of this pamphlet, the TCRA is concluded with the preparation and approval of a Project Completion Memorandum or a Finding of Suitability to Transfer (FOST). The FOST is discussed in Chapter 17 of this pamphlet.

(5) Administrative Record. Because of the exigent nature of a TCRA, the Administrative Record does not need to be available prior to the implementation of the removal action. However, the Administrative Record must be available within 60 days of initiation of fieldwork. Since a formal EE/CA is not prepared during a TCRA, careful records must be maintained. Additional information on the Administrative Record will be published in EP 1110-3-8.

e. Non-Time Critical Removal Actions.

(1) NTCRAs are actions initiated in response to a release or threat of a release that poses a risk to human health or the environment where more than six months planning time is available. There are several formal steps required to execute a NTRCA. These steps include:

- (a) Preliminary assessment of eligibility to determine property and project eligibility.
- (b) Site inspection to confirm the presence of OE at the site.
- (c) EE/CA investigation to evaluate the site and risk, identify and evaluate removal alternatives, and select a removal action.
- (d) Removal design to plan for the implementation of the removal action.
- (e) Removal action.
- (f) Project completion.

(2) The NTCRA process is illustrated in Figure 5-2. Each phase of the NTCRA process is discussed in detail in Chapters 6 through 17 of this pamphlet.

(3) During the NTCRA process, a TCRA may be conducted due to the discovery of an imminent danger. As shown in Figure 5-2, a TCRA may be initiated during the following phases of a NTCRA: preliminary assessment of eligibility, site inspection, EE/CA, or NTCRA. Following the completion of the TCRA, the NTCRA will resume.

(4) As illustrated in Figure 5-2, a decision of No DOD Action Indicated (NDAI) may be reached during the NTCRA process at the conclusion of the preliminary assessment of eligibility, site inspection, or EE/CA phases. At any time during the OE response process, the OE project team, in consultation with the OC supporting the OE MCX, may propose that a removal action be conducted based on site-specific circumstances. If the removal action will be conducted with

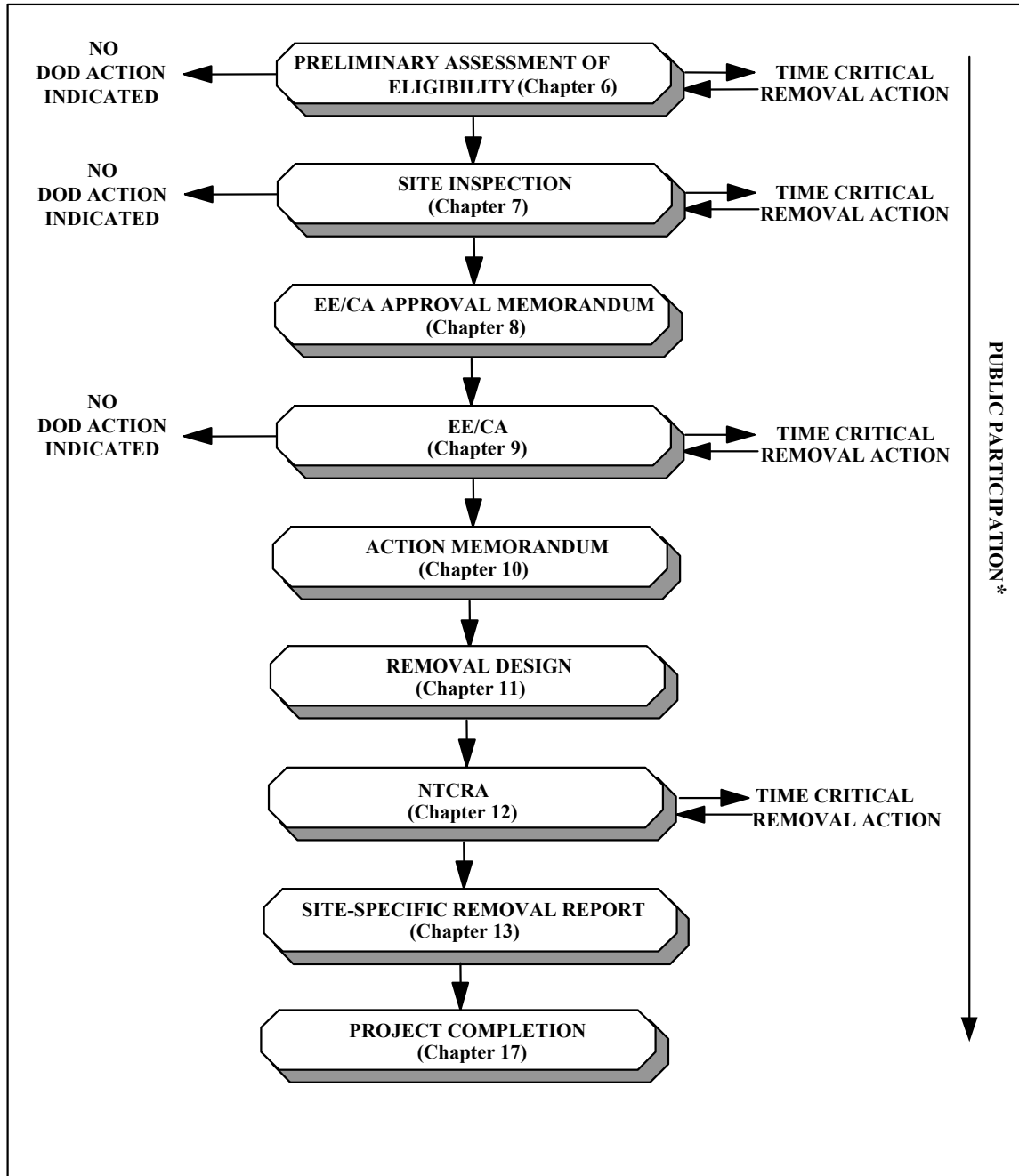


Figure 5-2. Non-Time Critical Removal Action Process **

* Public Participation is an integral component of the NTCRA process.

**Additional removal actions may occur at any time depending on the exigencies of site conditions.

a planning period of less than six months, the lead agency must publish the Action Memorandum within 60 days of initiating the removal action. Any information gathered during this response action must be incorporated into the EE/CA document. The OE MCX should be contacted for further information about the circumstances in which a removal action may be appropriate during the OE response process.